

ESTTA Tracking number: **ESTTA461745**

Filing date: **03/14/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200595
Party	Plaintiff Atlanta National League Baseball Club, Inc.
Correspondence Address	KLISE C KASELL COWAN LIEBOWITZ LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES eck@cll.com, jmn@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Elise Kasell
Filer's e-mail	eck@cll.com, jmn@cll.com, trademark@cll.com
Signature	/Elise Kasell/
Date	03/14/2012
Attachments	BRAVE (Disney) Motion on Consent to Continue Suspension March 14, 2012.pdf (3 pages)(12424 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial Nos. 77/957,076; 77/957,094; 77/957,113; 77/957,116; 77/957,107;
77/957,108; 77/957,111; 77/957,101; and 77/957,099

Filed: May 10, 2011

For Mark: BRAVE

Published in the Official Gazette: May 10, 2011

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ATLANTA NATIONAL LEAGUE BASEBALL	:	
CLUB, INC.,	:	
Opposer,	:	Consolidated Opposition No.
	:	91200595
v.	:	
DISNEY ENTERPRISES, INC.,	:	
Applicant.	:	
-----	X	

**MOTION ON CONSENT TO CONTINUE SUSPENSION OF THE PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order continuing the suspension of the proceedings in this matter for a period of sixty (60) days, until **May 13, 2012**. Applicant's counsel consented to this motion, which is requested to allow the parties to continue to engage in continue to settlement discussions.

Since the last suspension, progress has been made towards settlement of this matter. Opposer's in-house counsel revised the initial proposed draft agreement sent by Opposer's outside counsel and sent a draft settlement agreement to Applicant's in-house counsel. Thereafter, Opposer's in-house counsel and Applicant's in-house counsel had discussions regarding the proposed terms of the initial settlement agreement and Applicant's in-house

counsel provided Opposer's in-house counsel with comments to the draft agreement. The additional time is requested to allow Opposer's in-house counsel to provide comments to the revised draft agreement to Applicant's in-house counsel and for the parties to continue to negotiate a finalized settlement agreement. If accepted, the settlement agreement would resolve this matter without the need to proceed with the opposition proceeding.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York
March 14, 2012

COWAN LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 14, 2012, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicant's Attorney and Correspondent of Record, Brian A. Rupp, The Walt Disney Company, 500 S. Buena Vista Street, Burbank, California 91521-0007 with a courtesy copy to Kevin Daley, The Walt Disney Company, 500 S. Buena Vista Street, Burbank, California 91521-0007.

/Elise C. Kasell/
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